

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JERBEIN MEJIA,	:
	:
Petitioner,	: NO. 1:01-CV-00688
	:
	:
	:
v.	: ORDER
	:
	:
DON DEWITT,	:
	:
Respondent.	:
	:

On October 9, 2001, Petitioner Jerbein Meija ("Meija") filed the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. 1). On April 21, 2003, however, Meija moved to stay and/or hold the habeas proceedings in abeyance (doc. 6), supplemented by an "Addendum/Supplement" filed three days later (doc. 7), to permit him to exhaust his state court remedies with respect to one of his claims. He subsequently filed for leave to amend his petition (doc. 8); in so doing, he informed the Court that he had since exhausted his state court remedies with respect to the noted claim.

On September 21, 2003, the Magistrate Judge granted Meija's request for leave to amend his petition (doc. 9), as well as filing a Report and Recommendation recommending that the Petitioner's motion to stay be denied as moot (Id.). No objections were ever filed to this Report and Recommendation. In light of the Magistrate Judge's grant of leave to amend the petition and the

Petitioner's averment that he has since exhausted his state court remedies, it appears that the motion to stay and/or hold the habeas proceedings in abeyance is indeed moot. Accordingly, the Magistrate Judge's Report and Recommendation (doc. 9) is ADOPTED IN ITS ENTIRETY. The Petitioner's motion to stay proceedings (doc. 6) is DENIED AS MOOT.

SO ORDERED.

Dated: March 31, 2004

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge